

(3) OTHER FEDERAL AGENCIES.—Nothing in this Act—

(A) modifies, alters, or amends any law or regulation authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;

(B) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of the Heritage Area; or

(C) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

(h) PRIVATE PROPERTY AND REGULATORY PROTECTIONS.—

(1) IN GENERAL.—Subject to paragraph (2), nothing in this Act—

(A) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the Heritage Area;

(B) requires any property owner to permit public access (including access by Federal, State, or local agencies) to the property of the property owner, or to modify public access or use of property of the property owner under any other Federal, State, or local law;

(C) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State or local agency, or conveys any land use or other regulatory authority to the management entity;

(D) authorizes or implies the reservation or appropriation of water or water rights;

(E) diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the Heritage Area; or

(F) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

(2) OPT OUT.—An owner of private property within the Heritage Area may opt out of participating in any plan, project, program, or activity carried out within the Heritage Area under this Act, if the property owner provides written notice to the management entity.

(i) EVALUATION; REPORT.—

(1) IN GENERAL.—Not later than 3 years before the date on which authority for Federal funding terminates for the Heritage Area, the Secretary shall—

(A) conduct an evaluation of the accomplishments of the Heritage Area; and

(B) prepare a report in accordance with paragraph (3).

(2) EVALUATION.—An evaluation conducted under paragraph (1)(A) shall—

(A) assess the progress of the management entity with respect to—

(i) accomplishing the purposes of this Act for the Heritage Area; and

(ii) achieving the goals and objectives of the approved Heritage Area management plan;

(B) analyze the Federal, State, local, and private investments in the Heritage Area to determine the leverage and impact of the investments; and

(C) review the management structure, partnership relationships, and funding of the Heritage Area for purposes of identifying the critical components for sustainability of the Heritage Area.

(3) REPORT.—

(A) IN GENERAL.—Based on the evaluation conducted under paragraph (1)(A), the Secretary shall prepare a report that includes recommendations for the future role of the National Park Service, if any, with respect to the Heritage Area.

(B) REQUIRED ANALYSIS.—If the report prepared under subparagraph (A) recommends that Federal funding for the Heritage Area

be reauthorized, the report shall include an analysis of—

(i) ways in which Federal funding for the Heritage Area may be reduced or eliminated; and

(ii) the appropriate time period necessary to achieve the recommended reduction or elimination.

(C) SUBMISSION TO CONGRESS.—On completion of the report, the Secretary shall submit the report to—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(j) EFFECT OF DESIGNATION.—Nothing in this Act—

(1) precludes the management entity from using Federal funds made available under other laws for the purposes for which those funds were authorized; or

(2) affects any water rights or contracts.

#### SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act \$10,000,000, of which not more than \$1,000,000 may be made available for any fiscal year.

(b) COST-SHARING REQUIREMENT.—The Federal share of the total cost of any activity under this Act shall be determined by the Secretary, but shall be not more than 50 percent.

(c) NON-FEDERAL SHARE.—The non-Federal share of the total cost of any activity under this Act may be in the form of in-kind contributions of goods or services.

#### SEC. 5. TERMINATION OF AUTHORITY.

(a) IN GENERAL.—If a proposed Heritage Area management plan has not been submitted to the Secretary by the date that is 5 years after the date of enactment of this Act, the Heritage Area designation shall be rescinded.

(b) FUNDING AUTHORITY.—The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

### NOTICES OF HEARINGS

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, February 7, 2013, at 10:00 a.m. in room 216 of the Hart Senate Office Building to conduct a hearing entitled “No Child Left Behind: Early Lessons from State Flexibility Waivers.”

For further information regarding this meeting, please contact Leanne Hotek of the committee staff on (202) 228-6685.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, February 12, 2013, at 10:00 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to explore opportunities and challenges associated with America’s natural gas resources.

Because of the limited time available for the hearing, witnesses may testify

by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC. 20510-6150, or by e-mail to lauren\_goldschmidt@energy.senate.gov.

For further information, please contact Todd Wooten at (202) 224-4971 or Lauren Goldschmidt at (202) 224-5488.

### EMBASSY SECURITY FUNDS TRANSFER ACT OF 2013

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 227, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 227) to authorize the transfer of certain funds to improve security at United States embassies and other diplomatic facilities worldwide, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

S. 227

Mr. LEAHY. Today I am pleased the Senate will pass the bipartisan Embassy Security Funds Transfer Act of 2013. This commonsense legislation will enact a provision similar to one passed overwhelmingly by the Senate last December as part of the Sandy Supplemental but that was stripped out by House Republicans.

This bill simply provides authority to the State Department to transfer up to \$1.1 billion in overseas contingency operations funds appropriated in Fiscal Year 2012 for operations in Iraq, which are no longer needed due to reduced State operations there, to be used for increased security at U.S. embassies and other overseas posts identified in the Department’s security review after the terrorist attack in Benghazi.

Making such resources available for these purposes is one of the recommendations of the Accountability Review Board chaired by Ambassador Pickering and Admiral Mullen. The bill permits the transfer of funds between the diplomatic and consular programs and embassy security construction and maintenance accounts. Such transfers would otherwise be precluded due to percentage limitations.

To be clear, this legislation appropriates no additional funds. It costs the taxpayers no additional money. It has no scoring impact. It merely allows for the transfer of existing, appropriated funds for this critical purpose. There is nothing controversial about this bill.

We all want to do what we can to prevent another tragedy like what occurred in Benghazi. The State Department has done a review, and these funds will be used to expedite construction of Marine security guard posts at overseas facilities and for the construction of other secure embassies. While it is impossible to guarantee the safety of our diplomats and aid workers, many